

SELF-SERVICE CENTER INSTRUCTIONS

HOW TO FILL OUT THE ORDER FOR YOUR CHILD CUSTODY, PARENTING TIME (“Visitation”) and CHILD SUPPORT or CUSTODY AND PARENTING TIME CASE

IMPORTANT NOTICE: DO NOT COMPLETE THIS COURT ORDER UNTIL YOU GO TO THE DEFAULT HEARING, OR UNTIL YOU AND THE OTHER PARTY GO TO TRIAL, OR YOU BOTH AGREE TO THE ORDER.

A signed Order is important because it determines the rights and responsibilities of both you and the other party. If either party does not obey the Order, then the other party can ask the court for help in enforcing the terms of the Order.

This order is designed for parties who want to get a court order of custody and parenting time or custody, parenting time and support. You cannot use this form to establish paternity. Use this form only if you are the natural or adoptive parent of the child(ren) AND

- ✓ You already have a court order establishing paternity, **OR**
- ✓ You have a court order for child support.

If you want a court order for child custody and parenting time, the court will also want to review the current child support order. If there is no order, the court will establish child support in this case or, if the child support order needs to be changed, the court will do so in this case.

REMINDER:

1. When filling out any court forms, type or print with **black ink only!**
2. Your Order should repeat as closely as possible what you requested in your Petition, unless the other party has provided written consent to any changes. You cannot mark something different in the Order from what you asked for in the Petition, unless the change clearly benefits the other party. If you try to do this, the judge will not sign the Order. If you want to change your requests to the court, you must file an amended petition and serve that petition on the other party. It is a good idea to have your petition handy when you follow the instructions to fill out your Order.

The first part of the Judgment and Order--the Court Findings:

1. This states that the court has all information necessary to enter a Judgment and Order.
2. This states that this court is able to make the Orders relating to you and the other party.
3. This states that the court will make only the orders that are legally proper under the circumstances of your case.
4. Print or type your full name and the Respondent's name in the spaces provided, then put the name of the children for whom custody/parenting time/support is established and their dates of birth.

5. The Court will fill in 5,6, and 7.
6. If you are asking for supervised or no parenting time for the other party, you must have a very good reason. Write that reason in here.
7. If you or the other party has been convicted of a drug or alcohol crime within the last 12 months, the court must make sure that the custody and/or parenting time order or agreement is in the best interests of the child(ren).

THE SECOND PART OF THE JUDGMENT AND ORDER— THE COURT ORDERS:

1. **CHILD CUSTODY AND PARENTING TIME. MARK THE BOX FOR EITHER SOLE OR JOINT CUSTODY.** The custody box you mark should be the same as you did in your Complaint/Petition, unless you and the other party have signed a ***"Joint Custody Agreement"*** which will be attached to the Order.
 - A) For sole custody of the child(ren), mark who is to have sole custody. Then mark only one of the three types of parenting time: reasonable, supervised, or no parenting time. If parenting time is supervised, mark who will be paying for costs of supervision. Be sure to attach the ***"Parenting Plan."***
 - B) If you are requesting Joint Custody, you should not have marked the first box, but should mark the Joint Custody box only. Remember, you will have to attach a copy of the ***"Joint Custody Agreement"*** signed by both parents, which **must** be approved by the court at the hearing if you desire Joint Custody. The Plan will be included as part of the Court Order.
2. **CHILD SUPPORT:** Mark first who is to pay the child support and then who the support is to be paid to. **NOTE: If there is a previous child support Order still in effect FROM A COURT IN ANOTHER STATE OR COUNTY, DO NOT MARK THIS BOX.**
3. **MEDICAL AND DENTAL INSURANCE:** Mark who will be responsible for medical and dental insurance, based on the request made in your Petition.
4. **FINANCIAL INFORMATION:** both parents must exchange ongoing financial information every 2 years.
5. **LIMITATION ON JURISDICTION:** This indicates that the Court only has jurisdiction to order a party to make payments if that party has been personally served. This means that if you served your spouse by publication, you may not be able to get child support, health insurance or reimbursement for medical and other expenses related to the child's birth unless you find and serve the other party. You will be able to get the custody and parenting time orders without personal service.

6. **OTHER MATTERS:** If there are other things you have asked for in the Petition that have not already been covered in the Judgment and Order. Be specific and be sure you use the same, or similar language to that used in your Petition.

JUDGE'S SIGNATURE, AND COPY FOR OTHER PARTY: You do not have a valid court order until the judge signs and dates the original order, which will occur at or after the default hearing or at the trial on the case. Be sure to get a certified copy of the signed order for your records. Also, if the other party does not have a copy, mail a copy of the signed and dated order to him or her.

Do not copy
or file this page